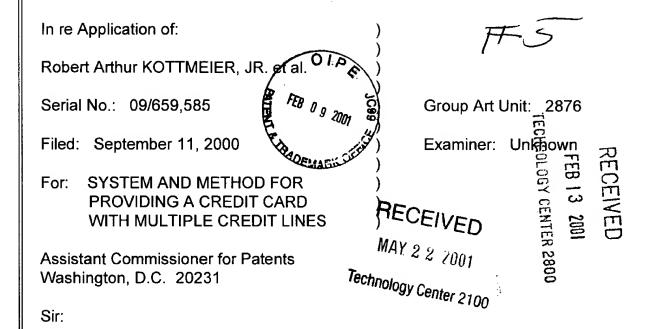
**PATENT** 

CUSTOMER NUMBER: 22,852

Attorney Docket No. 5793.3013-00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents are enclosed for review by the Examiner.

The enclosed documents relate to a credit program (known as Value Pay) of the Assignee (Capital One) that was offered to the public on or about February 1999.

The Value Pay program was offered to Value One customers that could purchase goods through a Value One catalog distributed by mail. An exemplary Value One

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FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.
WASHINGTON, DC 20005
202-408-4000

catalog is enclosed for the Examiner's review, along with copies of a Value Pay credit card application and related solicitation materials.

Applicants respectfully request that the Examiner consider each of the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claim in the application and applicants determines that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of this document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Finnegan, Henderson, Farabow, Garrett, 8 Dunner, L. L. P.

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& DUNNER, L. L. P. 1300 I STREET, N. W. WASHINGTON, DC 20005 202-408-4000 If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Pedro F. Suarez

Reg. No. 45,895

Dated: February 9, 2001

FINNEGAN, HENDERSON, FARABOW, GARRETT, & DUNNER, L. L. P. 1300 I STREET, N. W.

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